

## REMARKS

Claims 6 and 23-29 are allowed.

### **Formal matters**

In the Action dated August 6, 2004, the Examiner indicated the following matters needed correction. The specification has been amended to include sequence identification numbers omitted at the time of filing.

Use of Trademarks: The Examiner indicated that the trademarks should be capitalized and accompanied by generic terminology. Accordingly, the specification is amended herein with to properly indicate the use of products with trademarks. As the description with the specification refers to this specific product, it is believed that no additional generic terminology is needed.

Inclusion of His6 in sequence listing: The Examiner indicated that the disclosure of His6 without a sequence listing fails to comply with the sequence listing requirements set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). The specification has been amended to include sequence identification numbers for His6 as requested by the Examiner.

No new matter has been added.

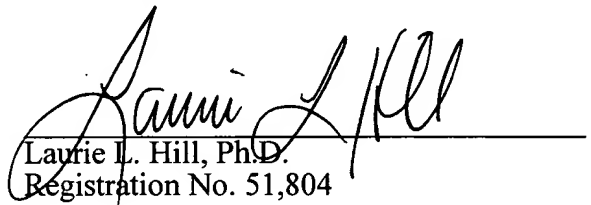
## CONCLUSION

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 140942000510. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: December 3, 2004

By:

  
Laurie L. Hill, Ph.D.  
Registration No. 51,804

Morrison & Foerster LLP  
3811 Valley Centre Drive,  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-7955  
Facsimile: (858) 720-5125